

L. Parks
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
R. ABOVITZ, et al.

Serial No.: 09/978,599

Filed: October 16, 2001

For: DIGITAL MINIMALLY
INVASIVE SURGERY SYSTEM

Attorney Docket No.:
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Art Unit: 3736

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Cleveland, OH
March 16, 2002



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37 CFR 1.97(b)(3)
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner
For Patents
Washington, D.C. 20231

Dear Sir:

The applicants wish to bring to the Examiner's attention the references developed in a novelty search conducted on March 6-7, 2002.

Allen US 4,945,914 shows fiducial markers in combination with an imaging system.

Allen US 5,094,241 shows fiducial markers with an imaging system and a computer system.

Allen US 5,142,930 shows fiducial markers on a patient and an image-guided arm with a variety of tools.

Barnett US 5,967,982 shows an imaging system with a computer, a wand, fiducial markers, and a projection x-ray based imaging system.

Cosman US 6,246,900 shows a head band with markers for stereotactic surgery.

Delp US 5,682,886 shows a computer assisted CT imaging based surgical system.

Fitzpatrick US 6,073,044 shows fiducial markers for medical imaging.

Guy US 5,554,097 shows a disposable surgical kit with optical elements.

Hoover US 4,943,939 shows computerized instrument trays for tracking surgical instruments during surgery.

Kalfas US 5,517,990 shows an image-guided wand with a plurality of tool tip attachments.

McFarlin US 5,667,478 shows a surgical instrument with a stick-on fiber optic viewing system in which components of a kit are contained in a sterilizable enclosure.

Onik US 4,583,538 shows fiducial markers which are imageable by a CT scanner.

Paikoff US 4,523,679 shows a presterilized medical kit for a medical procedure.

Peshkin US 6,069,932 shows a fluoroscopic image-guided surgery system which includes a software implemented embodiment.

Salvadori US 5,931,303 shows a presterilized, one-use medical kit for a medical procedure.

Sanjay-Gopal US 6,187,018 shows an image-guided surgery system.

The applicants attach an appropriate PTO-1449 form for the Examiner's convenience.

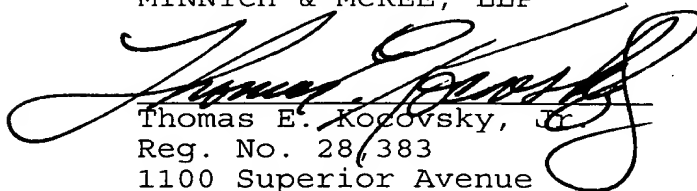


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An early indication that these references have been considered and an early allowance of this application is requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
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CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT; FORM PTO-1449 and 16 REFERENCES in connection with U.S. Patent Application Serial No. 09/978,599 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on this 18th day of March, 2002.

By: Melary M McNulty